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SUPERIOR COURT OF WASHINGTON FOR KING COUNTY

STATE OF WASHINGTON,

Plaintiff,

vs.

Defendant.

No.

**STATEMENT OF DEFENDANT ON
PLEA OF GUILTY (Nonfelony)
(STTDFG)**

1. My true name is _____.

2. My date of birth is _____.

3. I went through the _____ grade.

4. **I HAVE BEEN INFORMED AND FULLY UNDERSTAND THAT:**

(a) I have the right to representation by a lawyer; if I cannot afford to pay for a lawyer, one will be provided at no expense to me. My lawyer's name is _____.

(b) I am charged with the crime(s) of _____.

The elements of this (these) crime(s) are set forth in the information/_____amended information, which is incorporated by reference and which I have reviewed with my lawyer.

1 **5. I HAVE BEEN INFORMED AND FULLY UNDERSTAND THAT I HAVE THE**
2 **FOLLOWING IMPORTANT RIGHTS, AND I GIVE THEM ALL UP BY**
3 **PLEADING GUILTY:**

4 (a) The right to a speedy and public trial by an impartial jury in the county where the crime
5 is alleged to have been committed;

6 (b) The right to remain silent before and during trial, and the right to refuse to testify against
7 myself;

8 (c) The right at trial to testify and to hear and question the witnesses who testify against me;

9 (d) The right at trial to have witnesses testify for me. These witnesses can be made to
10 appear at no expense to me;

11 (e) The right to be presumed innocent until the charge is proven beyond a reasonable doubt
12 or I enter a plea of guilty;

13 (f) The right to appeal a determination of guilt after a trial.

14 **6. IN CONSIDERING THE CONSEQUENCES OF MY GUILTY PLEA(S), I**
15 **UNDERSTAND THAT:**

16 (a) The crime(s) with which I am charged each carry a maximum sentence(s) of
17 _____ (maximum 364) days in jail and a \$_____ fine.

18 (b) The crime of _____ has a mandatory minimum sentence
19 of _____. The law does not allow any reduction of this sentence. [If not
20 applicable, this paragraph should be stricken and initialed by the defendant and the judge _____.]

21 (c) The prosecuting attorney will make the following recommendation to the judge: _____
22 _____

☐ The prosecutor will make the recommendation stated in the Plea Agreement and State's Sentence Recommendation, which are incorporated by reference.

(d) The judge does not have to follow anyone's recommendation as to sentence. The judge can give me any sentence up to the maximum authorized by law no matter what the prosecuting attorney or anyone else recommends.

(e) The judge may place me on probation for up to five years if I am sentenced under RCW 46.61.5055 or up to two years for all other offenses, and impose conditions of probation.

(f) The judge will order me to pay a victim's compensation fund assessment. The judge may order that I pay a fine, attorney fees, and other costs, fees and assessments authorized by law. The judge may also order me to make restitution to any victims who lost money or property as a result of crimes I committed. The maximum amount of restitution is double the amount of the loss to all victims or double the amount of my gain.

(g) If I am not a citizen of the United States, a plea of guilty to an offense punishable as a crime under state law is grounds for deportation, exclusion from admission to the United States, or denial of naturalization pursuant to the laws of the United States.

(h) If I am convicted of any new crimes before sentencing, or if any additional criminal history is discovered, the prosecuting attorney's recommendations may increase. Even so, I cannot change my mind and my plea of guilty to this charge is binding on me.

(i) Government assistance may be suspended during any period of confinement.

1 **NOTIFICATION RELATING TO SPECIFIC CRIMES.**

2 **For any of the Following Paragraphs That Do Not Apply, the Paragraph Should**
3 **be Stricken and Initialed by the Defendant and the Judge.**

4 (j) If this crime involves a sexual offense, prostitution, or a drug offense associated with
5 hypodermic needles, I will be required to undergo testing for the human immunodeficiency virus
6 (HIV). [If not applicable, this paragraph should be stricken and initialed by the defendant and the
7 judge ____ ____.]

8 (k) This plea of guilty will result in revocation of my privilege to drive by the Department of
9 Licensing. If I have a driver's license, I must now surrender it to the judge. [If not applicable, this
10 paragraph should be stricken and initialed by the defendant and the judge ____ ____.]

11 (l) This conviction may affect my privilege to obtain a commercial motor vehicle driver's
12 license or result in the loss of any current commercial motor vehicle driver's license. RCW
13 46.25.090. [If not applicable, this paragraph should be stricken and initialed by the defendant and
14 the judge ____ ____.]

15 (m) If this conviction involves a violation of RCW Chapter 77, the Department of Fish and
16 Wildlife may, and in some cases is required to, suspend or revoke my privileges that fall within Fish
17 and Wildlife licensing. [If not applicable, this paragraph should be stricken and initialed by the
18 defendant and the judge ____ ____.]

19 (n) This crime was committed by one family or household member against another and is
20 assault in the fourth degree, coercion, stalking, reckless endangerment, criminal trespass in the first
21 degree, or violation of provisions of a protective order. I understand that I am not permitted to
22

1 possess, own, or have under my control any firearm unless my right to do so is restored by a court
2 of record and that I must immediately surrender any concealed pistol license. [If not applicable, this
3 paragraph should be stricken and initialed by the defendant and the judge _____.]

4 (o) This crime involved driving while under the influence of alcohol and/or being in actual
5 physical control of a vehicle while under the influence of alcohol and/or drugs, and I understand
6 that I will be subject to

7 [] The penalties described in the "DUI" Attachment.

8 *OR*

9 [] these minimum penalties: The mandatory minimum sentence of _____ days in
10 jail OR _____ days of electronic home monitoring and \$_____ monetary
11 penalty. I may also be required to drive only motor vehicles equipped with an ignition
12 interlock device as imposed by the Department of Licensing or the court. My driving
13 privilege will be suspended or revoked by the Department of Licensing for a period of
14 _____. The court may waive electronic home monitoring and impose an
15 alternative sentence, which may include additional jail time, work crew or work camp.

16 [If not applicable, this paragraph should be stricken and initialed by the defendant and the
17 judge. _____.]

18 (p) Count _____ is a violation of an ignition interlock restriction, under RCW 46.20.740 or
19 RCW 46.20.750(1), and occurred on or after September 26, 2015. The sentence for that offense
20 must be served consecutively with any other sentence imposed for violations of either of those
21 statutes and with any sentence imposed under RCW 46.61.502 (DUI), RCW 46.61.504 (physical
22 control under the influence), or RCW 46.61.5055. The sentence for violation of RCW 46.20.750(1)
also must be served consecutively with any sentence imposed under RCW 46.61.520(1)(a) or

1 46.61.522(1)(b) (vehicular homicide/assault while under the influence of alcohol/drugs). [If not
2 applicable, this paragraph should be stricken and initialed by the defendant and the
3 judge. ____ ____.]

4 (q) This crime involved sexual misconduct with a minor in the second degree, or
5 communication with a minor for immoral purposes, or attempt, solicitation or conspiracy to commit
6 a sex offense, or a kidnapping offense involving a minor, as defined in RCW 9A.44.128. I will be
7 required to register with the county sheriff as described in the "Offender Registration" attachment.
8 [If not applicable, this paragraph should be stricken and initialed by the defendant and the
9 judge ____ ____.]

10 (r) This crime involved assault 4 with sexual motivation, communication with a minor for
11 immoral purposes, custodial sexual misconduct 2, failure to register, harassment, patronizing a
12 prostitute, sexual misconduct with a minor 2, stalking, violation of a sexual assault protection order,
13 or any other offense requiring registration under RCW 9A.44.130. I will be required to have a
14 biological sample collected for purposes of DNA identification analysis and the judge will order me
15 to pay a \$100 DNA fee. RCW 43.43.754. [If not applicable, this paragraph should be stricken and
16 initialed by the defendant and the judge. ____ ____.]

17 (s) Because this crime involved a violation of the state drug laws, my eligibility for state
18 and federal education benefits will be affected. 20 U.S.C. § 1091(r). [If not applicable, this
19 paragraph should be stricken and initialed by the defendant and the judge ____ ____.]

20 (t) If this crime is a violation of RCW 46.61.502 (driving under the influence) and I have
21 Washington State volunteer firefighters vehicle license plates, I must surrender those license plates
22 at the time this plea is entered.

1 (u) Because I am pleading guilty to patronizing a prostitute, a condition of my sentence will
2 be that I not be subsequently arrested for patronizing a prostitute or commercial sexual abuse of a
3 minor. The court will impose crime-related geographic restrictions on me if feasible. If this is my
4 first offense, the court also will order me to attend a program designed to educate me about the
5 negative costs of prostitution. [If not applicable, this paragraph should be stricken and initialed by
6 the defendant and the judge _____.]

7 (v) Because this is a crime of domestic violence, I may be ordered to pay a domestic
8 violence assessment of up to \$115. If I am convicted under RCW 26.50.110, for a violation that
9 occurred on or after July 24, 2015, of a domestic violence protection order issued under chapter
10 26.50 RCW, the court will impose a mandatory fine of \$15.00. [If not applicable, this paragraph
11 should be stricken and initialed by the defendant and the judge _____.]

12 (w) Because the crime to which I am pleading guilty was the result of my arrest for one of
13 the following crimes, the listed fee for the crime of arrest must be imposed by the judge at
14 sentencing. The court may reduce the fine by up to two-thirds only if it finds that I do not have the
15 ability to pay the fee.

16 Trafficking in the first or second degree: \$3000

17 Indecent exposure, prostitution, or a comparable county or municipal crime: \$50

18 Permitting prostitution or a comparable county or municipal crime: \$1500 if the
19 defendant has no prior convictions, deferred sentences, deferred prosecutions,
20 or diversion agreements for this offense; \$2500 if the defendant has one such
21 prior; \$5000 if the defendant has two such priors.

22 Patronizing a prostitute or a comparable county or municipal crime: \$1500 if the
defendant has no prior convictions, deferred sentences, deferred prosecutions,
or diversion agreements for this offense; \$2500 if the defendant has one such
prior; \$5000 if the defendant has two such priors.

Promoting prostitution in the first or second degree, or a comparable county or
municipal crime: \$3000 if the defendant has no prior convictions, deferred
sentences, deferred prosecutions, or diversion agreements for this offense;
\$6000 if the defendant has one such prior; \$10,000 if the defendant has two
such priors.

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Commercial sexual abuse of a minor, promoting commercial sexual abuse of a
minor, promoting travel for commercial sexual abuse of a minor, or a
comparable county or municipal crime: \$5000.

[If not applicable, this paragraph should be stricken and initialed by the defendant and the judge
_____.]

7. I plead guilty to the crime(s) of _____

as charged in the information/ _____ amended information, including all charged
domestic violence designations. I have received a copy of that information.

8. I make this plea freely and voluntarily.

9. No one has threatened harm of any kind to me or to any other person to cause me to
make this plea.

10. No person has made promises of any kind to cause me to enter this plea except as set
forth in this statement.

11. The judge has asked me to state briefly in my own words what I did that makes me
guilty of this (these) crime(s), including domestic violence relationships, if they apply. This is my
statement: _____

12. My lawyer has explained to me, and we have fully discussed, all of the above paragraphs. I understand them all. I have been given a copy of this "Statement of Defendant on Plea of Guilty." I have no further questions to ask the judge.

DEFENDANT

I have read and discussed this statement with the defendant and believe that the defendant is competent and fully understands the statement.

PROSECUTING ATTORNEY

Print Name: _____

WSBA# _____

DEFENDANT'S LAWYER

Print Name: _____

WSBA# _____

The foregoing statement was signed by the defendant in open court in the presence of the defendant's lawyer and the undersigned judge. The defendant asserted that [check appropriate box]:

☐ (a) The defendant had previously read; or

☐ (b) The defendant's lawyer had previously read to him or her; or

☐ (c) An interpreter had previously read to the defendant the entire statement above;

and that the defendant understood it in full.

I find the defendant's plea of guilty to be knowingly, intelligently and voluntarily made. The defendant understands the charges and the consequences of the plea. There is a factual basis for the plea. The defendant is guilty as charged.

Dated this _____ day of _____, 20____.

JUDGE

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I am a certified interpreter or have been found otherwise qualified by the court to interpret in the _____ language and I am fluent in that language, which the defendant understands. I have translated this entire document for the defendant from English into that language. I certify under penalty of perjury under the laws of the State of Washington that the foregoing is true and correct.

Dated this _____ day of _____, 20____.

TRANSLATOR

Print Name:_____

INTERPRETER

Print Name:_____